



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/672,686

09/26/2003

Nathan E. Brewton

MWS-032

9254

959

7590

08/25/2006

LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

EXAMINER

PHAN, THAI Q

ART UNIT

PAPER NUMBER

2128

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/672,686	Applicant(s) BREWTON, NATHAN E.	
	Examiner Thai Phan	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to patent application S/N: 10/672,686, filed on 09/26/2003. Claims 1- 26 are pending in the action.

Drawings

The Drawings filed on 09/26/2003 are acceptable for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Schaumont et al, US patent application publication no. US 2003/0216901.

As per claim 1, Schaumont anticipates a method and system for generating and verifying a description of the digital system with feature limitations very identical to the claimed invention. According to Schaumont, the system includes means and steps

Obtaining instructions representative of compiling a netlist or a topology of the system and relationship among system parameters ([0116], [0508]-[0540]),

Executing the instruction by reading a data structure containing a plurality of parameters to create an intermediate representation of the system ([0045]-[0050]).

As per claim 2, Schaumont anticipates parameters contained in the data structure such as wordlengths, timing, communication ports, etc.

As per claims 3-4, Schaumont anticipates steps of identifying circuit netlist or circuit topology ([0266]) and verifying signal flow or timed clocked simulation to match with the instruction compilation of the circuit netlist, signal flow graph or circuit topology ([0037], [0219], [0267], [0316], [0325]-[363], [393], [0506], [520]).

As per claim 5-12, Schaumont anticipates data structures, without recompiling the circuit netlist or topology, C language, etc.

As per claim 13, Schaumont anticipates a method and system for generating and verifying a description of the digital system with feature limitations very identical to the claimed invention. According to Schaumont, the system includes means and steps

Obtaining instructions representative of compiling a netlist or topology of the system and relationship among system parameters for the simulation or verification ([0116], [0508]-[0540]),

Executing the simulation instruction by reading a data structure containing a plurality of parameters to create an intermediate representation of the system ([0045]-[0050]).

As per claim 14, Schaumont anticipates steps of directly compiling without recompiling after a content of the data structure is modified ([0056], [450]-[547]).

Similarly, claims 15-26 are directed to the method and system with limitations like in the rejected base claims above. Claims 15-26 are also rejected in like manner.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US patent no. 5,475,842, issued to Gilbert et al, on Dec. 1995
2. US patent no. 5,737,623, issued to Liebrock, Lorie, on Apr. 1998
3. US patent application publication no. 2002/0174415, to Hines, K., on Nov. 2002
4. US patent application publication no. 2003/0008684, to Feris, Gavin, on Jan. 2003
5. US patent application publication no. 2004/0103263, to Colavin et al, on May 2004
6. US patent application publication no. 2005/0143966, to McGaughy, Bruce, on June 2005
7. US patent application publication no. 2005/0257278, issued to Lee et al, on Nov. 2005

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Phan whose telephone number is 571-272-3783. The examiner can normally be reached on Monday-Friday.

Art Unit: 2128

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aug. 21, 2006



Thai Phan
Patent Examiner